M/053/002

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII
999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

DEC - 5 1995

Ref: 8EPR-ER

Mat Millenbach, State Director
United States Department of the Interior
Bureau of Land Management
Utah State Office
324 South State, Suite 301
Salt Lake City, Utah 84111-2303

Dear Mr. Millenbach:

Thank you for your letter dated May 18, 1995, in which you provided us with additional comments regarding the Leeds Silver Reclamation site in Leeds, Utah. I have not responded to your letter earlier due to the denial of access by 5M Inc. We are continuing to pursue legal access, which I anticipate obtaining shortly.

In response to general comment No. 1, EPA can agree to pursue a "Memorandum of Understanding" (MOU) with BLM regarding the site. Craig Zufelt indicated that he had drafted a MOU and would forward it to me for EPA review. In anticipation of obtaining access shortly, I suggest that we begin this process as soon as possible. EPA uses Interagency Agreements for transferring funds, so a MOU is more appropriate.

General comment No. 2 discusses the NEPA documentation that has been completed subsequent to your May 18, 1995 letter. In regard to a Fact Sheet, EPA will issue one prior to actual site work, and I will provide both the State and BLM personnel an opportunity to review the draft.

Any administrative process mentioned in general comment No. 3 would facilitate long-term protection of the remedy. However, the intent of the design is to provide a maintenance-free project following completion. Rock fill will be placed to protect the cap because vegetation of the cap would be difficult to establish and maintain in such an arid region. Rock fill will also act as a deterrent to access by recreational vehicles.

In regard to technical comment No. 1, the heap leach will be encapsulated by a geocomposite clay liner which consists of a bentonite clay layer and 20 mil polyethylene geomembrane. Overlying the geomembrane will be geocomposite drainage material which is composed of a geonet for drainage and a geotextile which performs as a filter. Overlying the geocomposite will be two feet of rock fill. We believe that this cap design is at least an equivalent in intent as the cap design suggested.

Technical comment No. 2 addresses EPA's proposal to place sediment from the ponds into the heap material prior to capping. As discussed in my January 18, 1995 letter, the sediment is not a RCRA hazardous waste. The toxicity test described in your comment is an aquatic toxicity test that takes the material in question and determines at what concentration it is toxic to aquatic organisms. Toxicity would not be due to any one parameter such as pH or metals but to everything in the material. A release of the material would result in environmental damage. However, encapsulating the sediment with the other materials in the heap would eliminate the possibility of a release. There would be no value added by mixing the sediment with cement as it couldn't escape the cap as designed. The sediment is also not a cyanide-process waste, hence there are no free or complexed cyanide compounds in the sediment. The sediment, in fact, contains the same elements and compounds as does the heap material, and when dewatered would present no more problem than the heap material when it is encapsulated. Therefore, it is EPA's opinion that expending substantial resources on solidification of this sediment is not necessary, and the draft cyanide policy does not apply because this is not a cyanide waste. Further, in lieu of solidification, we propose to encapsulate the sediment with similar materials, thereby eliminating potential for future migration.

In response to technical comment No. 3, a specification package will be prepared when it is determined who will be performing the onsite remediation work. This will be made available to all interested parties for review and comment.

In response to technical comments No. 4 and 5, it is our intent to perform the work during the late winter months when little water is expected to be in the ponds. What water/rinsate is remaining will be treated onsite as previously discussed. We are currently evaluating the costs and time constraints associated with treatment of the water prior to use for dust control, and if it does not greatly impact either, then we will do as you suggest. However, there appears to be no reason to not use the untreated water for dust control from a health and safety standpoint. Further, the same contaminants/constituents in the water are found in the heap material, all of which will be capped. Finally, dust control uses a minimal amount of water per area controlled, most of which will evaporate within hours. Residual water is accounted for in the design, as a monitoring well will be located in the center of the existing pregnant pond as shown on the drawings (response to technical comment No. 6). This well can be used to pump water that may accumulate in the months following successful completion of the cap.

I hope that these responses alleviate your concerns regarding the Removal action at the Leeds Silver Reclamation site. If you have any questions regarding our position, please call me at (303) 312-6799. I would like to work out as many of these details as we can as soon as possible, because I anticipate obtaining legal access to the site shortly.

Sincerely,

Peter D. Stevenson, OSC
Emergency Response Program

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